

GOVERNOR SIGNS BUDGET AFTER WIELDING BLUE PENCIL

California's second-longest Budget delay in modern history officially came to an end today when Governor [Arnold Schwarzenegger](#) signed into law [SB 77 – Ducheny](#), the Budget bill finally approved by the Legislature, after making \$703 million in line-item vetoes in fulfillment of his promise to Senate Republicans as part of the agreement that broke the 52-day stalemate.

The action frees the state to start paying vendors and issuing checks to a variety of programs, which had gone without state payments since the July 1 beginning of the fiscal year, including roughly \$8.3 million in payments to attorneys who handle hundreds of felony appeals and child-dependency cases, as well as for reimbursing travel for assigned judges.

The Governor's [press release](#) announcing the Budget signing notes that it "fully funds . . . the state's compact with the judiciary." As noted in the Department of Finance [summary](#) of the budgetary provisions affecting the Legislative, Judicial and Executive branches:



Schwarzenegger

"The Budget includes \$126.6 million General Fund to reflect the application of the annual growth factor adjustment to the Trial Courts, which is based on the year-over-year change in the State Appropriations Limit (SAL). This adjustment is consistent with the statutory requirement that provides an annual SAL adjustment to fund the general operations of the Trial Courts.

"The Budget includes \$27.8 million General Fund for 50 new judgeships, which is the second installment of a plan to add 150 judges over a three-year period. These additional judges will increase access to the courts and address court backlogs."

However, the judicial branch did not emerge completely unscathed by the Governor's blue pencil. Among the \$703 million in funding reductions, the Governor:

- 1) Vetoes intent language that would have required the AOC to prioritize existing resources to provide a \$5 increase to the hourly

rates paid to attorneys in the Court Appointed Counsel Program.

- 2) Reduced \$17.377 million in trial court funding for the implementation of the Omnibus Conservatorship and Guardianship Reform Act of 2006. In his veto message, the Governor stated "It is my intention for the Judicial Branch to delay implementation of the Act until the 2008-09 fiscal year."
- 3) Reduced \$2.980 million for one month of savings related to the 50 new trial court judgeships established in 2006-07. The Governor stated "Due to the timing of appointments one month of the funding for new judgeships will not be necessary in 2007-08."
- 4) Vetoes budget bill language that would have required the Judicial Council to make \$5.250 million available for salary increases for court interpreters.

On an additional positive note, the Governor did not veto \$2.5 million to expand self-help clinics for litigants in civil cases who cannot afford representation, which reportedly had been on the "cut list" provided by Senate Republicans.

The inclusion of the \$27.8 million for new judges now focuses attention on [AB 159 \(Jones\)](#), which would provide authorization needed for the Governor to appoint the 50 judges, due to controversy over what Democratic legislators characterize as his "abysmal" record of appointing minorities to the bench. The Governor's appointment last Monday of 18 judges that included a substantially greater mix of women and minorities appears to have dulled some of the sharpest criticism. But his critics have characterized the appointments as "a start" at best. AB 159 remains in the Senate Appropriations Committee.

DEADLINES UPCOMING

- [Friday, August 31](#) - Last day for Fiscal Committees to meet and report bills to Floor.
- [September 3-14](#) - Floor session only. No committee may meet for any purpose.
- [Friday, September 7](#) - Last day to amend bills.
- [Friday, September 14](#) - Last day for each house to pass bills. Interim recess begins on adjournment.
- [Sunday, October 14](#) - Last day for Governor to sign or veto bills.